IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TENTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE V.V.S.RAO

WRIT PETITION NO : 33523 of 1998

Between:

1 Shaik Vali Basha S/o Surasaheb,
Chairman, School Education Committee,

Mandal Parishad Pradhamika Pathasala,

Modekurra (V), Kothapeta (M), East Godavari District.
2 Reddi Ramakrsihna Murthy S/o Suryanarayana,
Chairman, School Education Committee,

Zilla Parishad Unnatha Patasala, Chappidivaripalem (Avidi),

Kothapeta Mandal, East Godavari District.
3 Bokka Adinarayana S/o Tamayya,
Chairman, Education Committee,

Mandal Parishad Elementary School, Kothapalem,

Kothapeta Mandal, East Godavari District.
4 Thoram Thrimurthulu S/o Ganni Raju,
Chairman, Education Committee, Mandal Parishad

Elementary School, Avidi, Kothapeta Mandal,
East Godavari District.
5 Illa Pallam Raju S/o Narasimha Murthy,
Chairman, Education Committee, Mandal Parishad

Elementary School, Sreenivasapuram,

Kothapeta Mandal, East Godavari District.
6 Illa Atchayya S/o Pullayya,
Chairman, Education Committee, Mandal Parishad

Upper Primary School, Sangampalem,

Kothapeta Mandal, East Godavari District.
7 Appari Veeramsetti S/o Gangi Setti,
Chairman, Education Committee, Mandal Parishad

Primary School, Kothula Thota, Vanapalli,

Kothapeta Mandal, East Godavari District.
8 Mutyala Veerabhadra Rao S/o Veera Raju,
Chairman, Education Committee, Government High School,

Kothapeta, Kothapeta Mandal, East Godavari District.
9 Mudinuri Perraju S/o Suryanarayana Raju,
Chairman, Education Committee, Z.P. High School,

Ganti, Kothapeta Mandal, East Godavari District.
10 Challangi Balayogi S/o Pallayya,
Chairman, Education Committee, Mandal Parishad

Elementary School, Pithanivaripalem,

Kothapeta Mandal, East Godavari District.
11 Chatti Munayya S/o Kattlayya,
Chairman, Education Committee, Mandal Parishad

Social Welfare School, Avidi,

Kothapeta Mandal, East Godavari District.

..... PETITIONERS

AND

1 District Educational Officer,
Kakinada, East Godavari District.
2 The Mandal Educational Officer,
Kothapeta Mandal, Kothapeta, East Godavari District.
3 The Mandal Parishad Development Officer,
Kothapeta Mandal, Kothapeta, East Godavari District.
4 The District Collector,
East Godavari District, Kakinada.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an appropriate Writ, order or direction, more particularly one in the nature of Writ of Mandamus, declaring the notices vide proceedings R.C.No.C/242/98 dt.20-11-1998 issued by the 2nd respondent as illegal, without jurisdiction and opposed to the provisions of the A.P. School Education (Community Participation) Act, 1998 and consequently direct the respondents to drop all further proceedings pursuant to said proceedings by continuing the petitioners as Chairmen of the respective School Education Committees.

Counsel for Petitioners: MR. G.KRISHNA MURTHY

Counsel for Respondents: GOVERNMENT PLEADER FOR SCHOOL EDUCATION

The Court made the following ORDER:

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Sri J.Srinivasa Rao, learned Advocate, representing Sri G.Krishna Murthy, learned Counsel for the petitioner submits that the writ petition has become infructuous.

Therefore, the writ petition is dismissed as infructuous. No costs.

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V.V.S. RAO, J

November 10, 2004.

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ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The District Educational Officer, East Godavari District at Kakinada.
2 The Mandal Educational Officer, Kothapeta Mandal, Kothapeta,

East Godavari District.
3 The Mandal Parishad Development Officer, Kothapeta Mandal,

Kothapeta, East Godavari District.
4 The District Collector, East Godavari District, Kakinada.

5 Two CCs to the Government Pleader for School Education,

High Court Buildings, Hyderabad (O.U.T).

6 Two CD copies.